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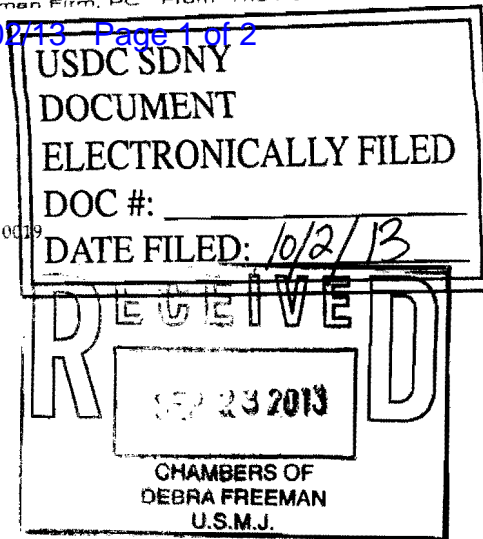
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September 20, 2013

VIA FAX: (212) 805-4258

Hon. Debra C. Freeman
United States Magistrate Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007



MEMO ENDORSED

Re: Robledo, et al. v. Bond No. 9, et al., 12 CV 6111 (ALC)(DCF)
related to
Robledo, et al. v. No. 9 Parfume Leaschold, et al., 12 CV 3579 (ALC)(DCF)

Dear Judge Freeman:

We submit this letter and the attached proposed case management plan on behalf of Plaintiffs. We regret to inform the Court that we have been unable to develop a joint proposed discovery plan by the deadline set forth in Your Honor's September 13, 2013 Order.

Following the issuance of Your Honor's Order on Friday, our office contacted counsel for Defendants on Monday, September 16, 2013. The following day our office again contacted counsel for Defendants and emphasized the need to meet and confer in a timely manner so that today's deadline could be met. We finally were able to speak with counsel for Defendants on Wednesday.

During this call, counsel for Defendants stated that they will file a sanctions motion if our office proceeds with this case. In response, we reiterated that we were only seeking to discuss the joint scheduling order and not the merits of the case. Counsel for Defendants then stated they were unable to continue to meet and confer with us until next week because it is Sukkot.

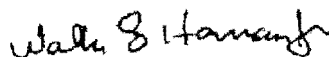
Although our office is mindful of the Jewish holiday, we attempted to avoid the holiday by contacting them earlier in the week. Counsel for Defendants' threat of sanctions is unwarranted in light of Judge Carter's recent decision on the Motion for Judgment on the Pleadings and Motion to Dismiss. See Docket Entry 30. Our office has been professional and respectful during this process, and has tried in good faith to work with counsel for Defendants.

Nevertheless, moving this case forward is best for everyone, and we respectfully submit the attached proposed case management plan, which is reasonably and prudently paced for all parties. We also respectfully request an in-person conference with the Court.

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We thank the Court for its time and attention to this matter.

Respectfully submitted,
THE HARMAN FIRM, PC



Walker G. Harman, Jr.

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Marc B. Zimmerman (via email, mzimmerman@phillipsnizer.com)

Counsel are directed to confer in good faith and to submit a jointly proposed schedule no later than one week from the date of this order. The Court expects that counsel will be able to confer in good faith, as professionals, and will not hear any excuses, from either side, as to why such conference is not possible.

SO ORDERED: DATE: 10/2/13


DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE